



CRM-M-25180-2024

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225 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25180-2024
Decided on : 01.08.2024

Parvesh Rana Petitioner

Versus

UT, Chandigarh Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Aditya Anand, Advocate
for the petitioner.

Mr. Manish Bansal, Advocate with
Ms. Diksha Sharma, Advocate
for the respondent.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner seeking concession of regular bail in case FIR No.179 dated 22.10.2023 under Section 22 of NDPS Act, 1985 registered at Police Station Sector 39 District Chandigarh.
2. Learned counsel for the petitioner submits that a false and fabricated case having been planted upon the petitioner is evident from the fact that as per the recovery memo allegedly prepared by the police when the petitioner was purportedly apprehended, 12 injections of Buprenorphine and 11 injections of Pheniramine Maleate were recovered. However, when the case property was produced before the Illaqa Magistrate, there was a



discrepancy and only 11 injections of Buprenorphine were found. Learned counsel further submits that on this ground alone, he deserves to be enlarged on bail, more so, when he has no other criminal antecedents coupled with the fact that not only is the investigation in the present case complete and even charges stand framed.

3. Per contra, learned counsel for the respondent while opposing the prayer made by learned counsel for the petitioner, on instructions from ASI Parvinder Singh, has not been able to dispute that the investigation in the present case is complete, and charges framed coupled with the fact that the petitioner has no criminal antecedents.

4. On a pointed query put to the learned counsel for the respondent as to how many injections were allegedly recovered from the petitioner when he was apprehended, he has very fairly conceded that as per the recovery memo, total 23 injections (12 injections of Buprenorphine and 11 injections of Pheniramine Maleate) were recovered, and when the case property was produced under Section 52-A of the NDPS Act before the learned Illaqa Magistrate, the total recovered injections were found to be only 22. It has also not been disputed that 11 injections of Pheniramine Maleate allegedly recovered from the petitioner do not fall under the NDPS Act.

5. I have heard learned counsel for the parties and perused the material placed on record.



6. In the facts and circumstances as enumerated hereinabove coupled with the fact that the investigation is complete, challan stands presented, even charges framed and the petitioner is not involved in any other criminal case, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

01.08.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No